



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

Friday, March 12, 2021 at 10:00 a.m.

This meeting will take place entirely virtually and can be accessed through the following link or phone numbers*:

<https://zoom.us/j/94073659660?pwd=SjZOZEZkdEFxV0VmZXZSRGRDVUVDZz09>

Meeting ID: 940 7365 9660

Passcode: pX%a76Pn

Or

Phone: (669) 219 2599**

(669) 900 9128**

(213) 338 8477**

Meeting ID: 940 7365 9660

Passcode: 83686772

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*Due to the Governor's proclamation of a State of Emergency resulting from the threat of COVID-19, and pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, the Board meeting will take place entirely virtually on March 12, 2021. Members of the Board will participate in this meeting remotely via telephonic or video conference. The meeting may be observed through the Zoom link and telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the 10:00 a.m. meeting start time. Members of the public may participate through telephone, the Zoom platform, or by submitting public comment in advance. If members of the public wish to submit comments in advance, the Board asks members of the public to provide written comments to Kat.Lee@dof.ca.gov prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

** This phone number **IS NOT** a toll free number.

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view.](#) The full Board member briefing package is available upon request. Please send an email to Kat.Lee@dof.ca.gov.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to Kat.lee@dof.ca.gov, five days prior to the meeting.

BOND ITEMS

BOND ITEM—1

JUDICIAL BRANCH (0250)

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)

**2022 SERIES A AND B, LEASE REVENUE REFUNDING BONDS, FORWARD DELIVERY
VARIOUS CAPITAL PROJECTS**

VARIOUS PROJECTS:

Series 2012A – Various Departments

Judicial Branch

1. Madera Courthouse

Department of Corrections and Rehabilitation

1. California Health Care Facility
2. Salinas Valley State Prison, Soledad: Enhanced Outpatient Program
Treatment and Office Space

Series 2012C

Department of Corrections and Rehabilitation

1. California State Prison - Kern County at Delano II

Consider adoption of resolutions to:

1. **Authorize the sale of lease revenue refunding bonds to refund Board's lease revenue bonds 2012 Series A and 2012 Series C in accordance with the Board's refunding policy.**
2. **Approve the form of and authorize the execution of various documents in connection with the sale of said revenue bonds.**
3. **Approve the form of and authorize the release of a Preliminary Official Statement and authorize the preparation and delivery of an Official Statement.**
4. **Approve and authorize other related actions in connection with the authorization, issuance, sale, and delivery of said lease revenue refunding bonds and to otherwise effectuate the purpose of the resolutions.**

The following are the currently outstanding par amounts of the bonds to be refunded by the 2022 Series A and B Lease Revenue Refunding Bonds:

<u>Bond Series</u>	<u>Currently Outstanding Par Amount</u>
2012A	\$733,475,000
2012C	\$145,875,000

STAFF ANALYSIS ITEM—1

Judicial Branch (0250)
Department of Corrections (5225)
2022 Series A and B, Lease Revenue Refunding Bonds, Forward Delivery
(Tax-Exempt Bonds)
Various Capital Projects

Action Requested

If approved, the requested action would adopt resolutions authorizing the sale of the 2022 Series A and B lease revenue refunding bonds and other related actions in connection with the issuance, sale, and delivery of the bonds.

Description of the Refunding

Under Government Code section 15840, the Board is authorized to issue refunding bonds to refund any of its outstanding bonds. Additionally under the Board's refunding policy refunding bonds may be issued when (i) the refunding generates positive net present value savings equal to at least 3 percent of the par amount of bonds refunded, or (ii) whether or not the issuance results in overall debt service savings if the Board determines in the resolution authorizing the issuance of the refunding bonds that such refunding will produce benefits to the Board's bond program apart from debt service savings.

The 2022 Series A and B bonds will be sold through a negotiated sale that has been structured as "forward delivery" refunding bonds which allows the bonds to be priced now but will not be issued until Spring 2022. This structure allows the 2022 Series A and B Bonds to be sold on a tax-exempt basis while also locking in current interest rates.

2022 Series A Bonds:

The 2022 Series A bonds have an estimated par amount of approximately \$596.8 million. Refunding the Board's 2012 A Bonds is expected to achieve a net present value savings of approximately \$124.3 million, which is approximately 16.9 percent of the par amount of the refunded bonds.

Proceeds from the 2022 Series A Bonds will be used with other lawfully available moneys, to establish irrevocable escrows to refund and defease all of the following Board's outstanding 2012 Series A Bonds.

Refunded Projects:

The 2022 Series A bonds will refund and defease the Board's 2012 Series A Bonds that financed the projects listed above and more specifically described in Appendix B of the Preliminary Official Statement.

2022 Series B Bonds:

The 2022 Series B bonds have an estimated par amount of approximately \$111.1 million. Refunding the 2012 C Bonds is estimated to achieve a net present value savings of approximately \$11.6 million, which is approximately 8 percent of the par amount of the refunded bonds.

Proceeds from the 2022 B Bonds will be used with other lawfully available moneys, to establish irrevocable escrows to refund and defease all of the following Board's outstanding 2012 Series C Bonds.

Refunded Projects:

The 2022 Series B bonds will refund and defease the Boards 2012 Series C Bonds that financed the projects listed above and more specifically described in Appendix B of the Preliminary Official Statement.

Staff Recommendation: **Adopt the resolutions.**

MINUTES

Consider approving the minutes from the February 12, 2021 meeting.

Staff have reviewed the minutes from the February 12, 2021 meeting and recommend approval.

Staff Recommendation: **Approve minutes from the February 12, 2021 meeting.**

CONSENT ITEMS

CONSENT ITEM—1

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CENTINELA STATE PRISON - HEALTH CARE FACILITY IMPROVEMENT PROGRAM
IMPERIAL COUNTY**

Authority: *Section 28 of Chapter 7, Statutes of 2007*

Consider approving an augmentation **\$2,004,000**
(0.7 percent of total project appropriations)
(13.1 percent cumulative)

STAFF ANALYSIS ITEM—1

Department of Corrections and Rehabilitation
Centinela State Prison - Health Care Facility Improvement Program
Imperial County

Action Requested

If approved, the requested action will approve an augmentation.

Scope Description

This project is within scope. The Health Care Facility Improvement Program (HCFIP) project at Centinela State Prison (CEN) will support CEN's operation as a Basic institution

as part of the California Department of Corrections and Rehabilitation (CDCR) HCFIP strategy to address statewide prison health care deficiencies. The purpose of the health care facility improvements at CEN is to remedy deficiencies in primary care, specialty care, pharmacy, laboratory, health care administration, and Administrative Segregation Unit (ASU) clinic. CEN is one of seventeen institutions designated as a Basic institution. Basic institutions will have the capability of providing routine specialized medical services and consultation for the generally healthy inmate-patient population.

This project includes renovations and additions to the primary care clinics at Facilities A, B, C, and D; a new ASU primary care clinic; and renovations to the Central Health Services building. The new primary care clinic renovation and additions at Facilities A, B, C, and D will provide primary health care consultation and treatment consistent with the delivery of a basic level of care. The renovated clinics will include lab draw stations to increase access to these services in an appropriate setting. The new ASU primary care clinic will provide separate clinical treatment space for the secure ASU population. The central health services renovation will provide specialty clinical services and consultation, and emergency treatment, consistent with a basic level of care.

Funding and Cost Verification

This project is not within cost. On July 18, 2014, the State Public Works Board (Board) took an action allocating \$18,051,000 of the \$300,000,000 General Fund appropriated in Section 28(a) of Chapter 7 of the Statutes of 2007 (AB 900), to fund the design and construction of this project. Section 7050(a)(5) of the Penal Code further provides this appropriation may also be used for the design and construction of the HCFIP projects at state prison facilities. On August 17, 2015, the Board approved preliminary plans, the use of Inmate/Ward Labor (IWL) and an augmentation of \$885,000 for a total project cost of \$18,936,000. On December 14, 2016, the Board approved recognized revised project costs in the amount of \$5,902,000 for a total project cost of \$24,838,000. On March 13, 2020, the Board approved an augmentation in the amount of \$3,214,000 for a total project cost of \$28,052,000.

Subsequent to this action, a revised project cost estimate was prepared in association with increased construction costs. The increased construction and contingency costs are associated with the following items:

- Adjustment due to design errors and omissions related to the redesign of pharmacy and lab casework in Sub-Project (SP) 3, backflow assembly reconfiguration at all SP1 clinics and SP2, and omission of low voltage infrastructure for site wide fire alarm reporting at all SPs.
- Adjustment due to additional costs for IWL staff, casual labor, guarding, and inspections for extended schedule duration driven by the resolution of errors and omissions as well as COVID-19 related delays.

In addition to the construction cost increases identified above, the architectural and engineering design, CDCR project management, consultant program management, utility costs, and State Fire Marshal line-items increased based on actual costs to date and the revised estimate to construction completion. The Group I/II Equipment line-item increased based on actual costs to date and previously omitted pharmacy casework and physical therapy room equipment. Additionally, the telecommunication line-item

decreased based on actual costs and projected costs to complete the project. Lastly, all existing contingency funds have been encumbered.

Based on this new estimate, the total revised project cost is \$30,056,000, which is an increase of \$2,004,000. CDCR is requesting an augmentation of \$2,004,000 to cover these cost increases for the project.

On February 19, 2021, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to recommend the Board approve the augmentation no sooner than 20 days from that date.

\$28,052,000	Total authorized project costs
\$30,056,000	Total estimated project costs
\$28,052,000	Project costs previously allocated: \$856,000 for preliminary plans, \$862,000 for working drawings, and \$26,334,000 for construction (\$20,487,000 contract, \$1,230,000 contingency, \$659,000 A/E, \$1,229,000 other project costs, and \$2,729,000 agency retained items).
\$ 2,004,000	Project costs to be allocated: increase of \$2,004,000 for construction (increase of \$1,909,000 contract, \$115,000 contingency, \$75,000 A/E, \$235,000 other project costs, and a decrease of \$330,000 agency retained items).

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 8, 2015 and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

The Department of General Services, on behalf of CDCR, completed a Summary of Conditions letter for this project on July 9, 2013 and no issues that would adversely affect the beneficial use and quiet enjoyment of this project have been identified.

Project Schedule

Approve preliminary plans	August 2015
Complete working drawings	December 2016
Start construction	December 2016
Complete construction	January 2022

Staff Recommendation: **Approve an augmentation.**

ACTION ITEMS

ACTION ITEM—1

STATE PUBLIC WORKS BOARD

AGREEMENT TO PROVIDE PUBLIC ACCESS AND FOR LIMITED PUBLIC ENTITY TORT IMMUNITY FOR A PUBLIC BENEFIT NONPROFIT ORGANIZATION SANTA CRUZ COUNTY

Authority: Section 831.5 of the Government Code

Consider authorizing execution of an agreement with the Land Trust of Santa Cruz County, Peninsula Open Space Trust, Save the Redwoods League, and Sempervirens Fund (the “Nonprofits”) to provide public access to property and to qualify the Nonprofits for limited public entity tort immunity.

STAFF ANALYSIS ITEM—1

State Public Works Board
Agreement to Provide Public Access and for Limited Public Entity Tort Immunity for a
Public Benefit Nonprofit Organization
Santa Cruz County

Action Requested

If approved, the requested action will authorize execution of an agreement with the Nonprofits to provide public access to property and to qualify the Nonprofits for limited public entity tort immunity.

Discussion

The Legislature has found it beneficial to the people of the state to encourage private nonprofit entities to carry out programs that preserve open space or increase opportunities for the public to enjoy access to and use of natural resources if the programs are consistent with public safety, the protection of the resources, and with public and private rights. In furtherance of this, Government Code section 831.5 provides an opportunity for certain types of nonprofit organizations to avail themselves of the benefits of limited “public entity” status for purposes of limiting their tort liability. To secure these benefits, a nonprofit organization must meet the following requirements:

1. It is a nonprofit organization existing under the provisions of Section 501(c) of the United States Internal Revenue Code;
2. It has specifically set forth in its articles of incorporation, as among its principal charitable purposes, the conservation of land for public access, agricultural, scientific, historical, educational, recreational, scenic, or open-space opportunities; and
3. For land outside of the coastal zone or the Lake Tahoe region, it has entered into an agreement with the Board requiring the public land trust to hold the lands or, where appropriate, to provide nondiscriminatory public access consistent with the protection and conservation of natural resources.

For properties in the coastal zone or the Lake Tahoe region, Government Code section 831.5 requires nonprofits to enter into an agreement with the State Coastal Conservancy and the California Tahoe Conservancy, respectively.

The Land Trust of Santa Cruz County, Peninsula Open Space Trust, Save the Redwoods League, and Sempervirens Fund (the "Nonprofits") are a group of nonprofit corporations existing under Section 501(c) whose main purposes are to acquire, hold, and dispose of real property located within Santa Cruz County for the purpose of preserving open space, historical sites and recreational facilities for public use and enjoyment. The Nonprofits hold rights to certain property located in Santa Cruz County (the "San Vicente Redwoods"). The San Vicente Redwoods consists of a contiguous 8,160-acre property and a 373-acre property located to the southeast of the main property. The Nonprofits intend to provide access to the San Vicente Redwoods in accordance with the Final San Vicente Redwoods Public Access Plan, dated December 2019. This includes public access to specific areas for recreational uses and access through permits for research and educational uses (unless the uses are indistinguishable from the recreational use and will occur on publicly accessible areas). The recreational uses may include hiking, biking, horse-riding, on-leash dog walking, picnicking and small group gatherings, and nature observation. The research and educational activities and the areas at which they are conducted may not be open for public access.

The Nonprofits wish to obtain limited public entity status with respect to the San Vicente Redwoods under Government Code section 831.5. In March 2020, the Nonprofits entered into an agreement under Government Code section 831.5 for the San Vicente Redwoods with the State Coastal Conservancy because a portion of the property is located within the coastal zone. The Nonprofits wish to enter into an agreement with the Board under Government Code section 831.5 to ensure limited public entity status over the entirety of the San Vicente Redwoods.

The agreement would require the Nonprofits to provide nondiscriminatory public access over the San Vicente Redwoods, as well as erect signs directing the public to the property and indicating when it is open to the public. The agreement does not obligate the Board to perform any specific tasks or management. However, under Government Code section 831.5, the Board would be required to periodically review the agreement and determine whether the Nonprofits are in substantial compliance with the agreement. To this end the agreement provides for the Nonprofits to submit an annual report to the Board, certifying to the Nonprofits' compliance with the terms of the agreement.

Staff Recommendation:

Authorize execution of an agreement with the Nonprofits to provide public access to property and to qualify the Nonprofits for limited public entity tort immunity.

ACTION ITEM—2

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES

*Authority: 2012 Budget Act, Item 2665-306-0890 (1), as reappropriated by the 2018 Budget Act
2012 Budget Act, Item 2665-306-6043 (1), as reappropriated by the 2018 Budget Act
2014 Budget Act, Item 2665-306-3228 (1),
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties or interests in property for the High Speed Train System:

- 1. Acrew Management Property (Fresno County)
Authority Parcel Numbers: FB-10-0678-1 and FB-10-0679-1
Assessor Parcel Number: 467-040-30T, 467-040-31ST, and 467-040-32ST**
- 2. Cossette Investment Property (Fresno County)
Authority Parcel Number: FB-10-1001-1
Assessor Parcel Number: 330-230-01S**
- 3. Irigoyen Property (Fresno County)
Authority Parcel Number: FB-10-1496-1
Assessor Parcel Number: 056-020-63S**
- 4. K&G Bath Property (Fresno County)
Authority Parcel Numbers: FB-10-1607-1, FB-10-1607-2, and FB-10-1607-3
Assessor Parcel Number: 338-100-51**
- 5. Gill Property (Fresno County)
Authority Parcel Number: FB-10-1679-1
Assessor Parcel Number: 334-330-59**
- 6. Sozihno Trust Property (Kings County)
Authority Parcel Numbers: FB-16-0175-1, FB-16-0175-2, FB-16-0175-3,
FB-16-0175-9, and FB-16-0175-01-01
Assessor Parcel Number: 016-200-035**
- 7. Sozihno Trust Property (Kings County)
Authority Parcel Numbers: FB-16-0181-1 and FB-16-0181-3
Assessor Parcel Number: 016-200-005**
- 8. Atwal Brothers Property (Kings County)
Authority Parcel Numbers: FB-16-1046-1, FB-16-1047-1, and FB-16-1072-1
Assessor Parcel Numbers: 034-080-062, 034-070-023, and 034-070-025**

9. Dias Property (Kings County)

Authority Parcel Numbers: FB-16-1058-1 and FB-16-1058-2

Assessor Parcel Number: 028-160-036

10. Freeman Property (Madera County)

Authority Parcel Number: MF-20-1404-1

Assessor Parcel Number: 036-251-011

11. Morgan Property (Madera County)

Authority Parcel Number: MF-20-1416-1

Assessor Parcel Number: 031-252-002

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties or interests in properties 1, 3-5, and 8-11 for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting Resolutions of Necessity that are required for the Authority to initiate eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

The properties are within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System (HSTS).

The Authority notified the Board's staff that between July 2020 and December 2020, the respective property owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required at this time.

On February 24, 2021, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Acrew Management Property (Fresno County)

Authority Parcel Numbers: FB-10-0678-1 and FB-10-0679-1

Assessor Parcel Numbers: 467-040-30T, 467-040-31ST, and 467-040-32ST

Partial Acquisition: Approximately 0.41 acre in fee

The property interests identified by the Authority Parcel Numbers are needed for the construction of the High Speed Rail (HSR) corridor located on portions of Tulare Street and Kern Streets between G Street. The property was previously deeded as a public right of way, but has since been abandoned.

2. Cossette Investment Property (Fresno County)

Authority Parcel Number: FB-10-1001-1

Assessor Parcel Number: 330-230-01S

Property Pulled

3. Irigoyan Property (Fresno County)

Authority Parcel Number: FB-10-1496-1

Assessor Parcel Number: 056-020-63S

Partial Acquisition: Approximately 0.58 acre in easement

The property interest identified by the Authority Parcel Number is needed for the construction of the Elkhorn Avenue grade separation.

4. K&G Bath Property (Fresno County)

Authority Parcel Numbers: FB-10-1607-1, FB-10-1607-2, and FB-10-1607-3

Assessor Parcel Number: 338-100-51

Partial Acquisition: Approximately 0.98 acre in easement

The property interests identified by the Authority Parcel Numbers are needed for the construction is needed for construction of the PG&E utility corridor, and temporary construction easements between E. Dinuba Avenue and E. Springfield Avenue.

5. Gill Property (Fresno County)

Authority Parcel Number: FB-10-1679-1

Assessor Parcel Number: 334-330-59

Partial Acquisition: Approximately 0.09 acre in easement

The property interest identified by the Authority Parcel Number is needed a permanent easement for Fresno Irrigation District between E. Jefferson Avenue and E. Lincoln Avenue.

6. Sozinho Trust Property (Kings County)

Authority Parcel Numbers: FB-16-0175-1, FB-16-0175-2, FB-16-0175-3,

FB-16-0175-9, and FB-16-0175-01-01

Assessor Parcel Number: 016-200-035

Property Pulled

7. Sozinho Dairy Property (Kings County)

Authority Parcel Numbers: FB-16-0181-1 and FB-16-0181-3

Assessor Parcel Number: 016-200-005

Property Pulled

8. Atwal Brothers Property (Kings County)

Authority Parcel Numbers: FB-16-1046-1, FB-16-1047-1, and FB-16-1072-1

Assessor Parcel Numbers: 034-080-062, 034-070-023, and 034-070-025

Partial Acquisition: Approximately 1.45 acres in fee

The property interests identified by the Authority Parcel Numbers are needed for a road to connect Niles Avenue with Newark Avenue, thereby providing appropriate access to Newark Avenue residents between the HSR corridor and Highway 43.

9. Dias Property (Kings County)

Authority Parcel Numbers: FB-16-1058-1 and FB-16-1058-2

Assessor Parcel Number: 028-160-036

Partial Acquisition: Approximately 0.59 acre (0.35 acre in fee, 0.24 acre in easement)

The property interests identified by the Authority Parcel Numbers are needed for the Highway 43 grade separation.

10. Freeman Property (Madera County)

Authority Parcel Number: MF-20-1404-1

Assessor Parcel Number: 036-251-011

Partial Acquisition: <0.01 acre in easement

The property interest identified by the Authority Parcel Number is needed for a temporary easement along Greentree Avenue will allow the construction of an access point to the BNSF right of way and its maintenance road.

11. Morgan Property (Madera County)

Authority Parcel Number: MF-20-1416-1

Assessor Parcel Number: 031-252-002

Partial Acquisition: Approximately 0.38 acre in fee

The property interest identified by the Authority Parcel Number is needed for extension of Avenue 17 which will connect with Road 28 ½ and cross the HSR corridor.

Staff Recommendation:

Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire the above described properties or interests in properties for the HSTS.

OTHER BUSINESS

OTHER BUSINESS—1

RESOLUTION OF THE STATE PUBLIC WORKS BOARD DELEGATING AUTHORITY TO CONTRACT FOR BOND COUNSEL AND DISCLOSURE COUNSEL SERVICES RELATED TO THE ISSUANCE OF THE BOARD'S LEASE REVENUE BONDS

Consider adoption of a resolution to authorize the Executive Director to:

- 1) **Select bond counsel and disclosure counsel for services related to the issuance of Public Works Board Bonds, negotiate the terms and conditions the contracts with bond counsel and disclosure counsel with the original term of the contracts not to exceed three years, and to execute the contracts.**
- 2) **Take all other actions as necessary to carry out the purpose of the resolution.**

STAFF ANALYSIS ITEM—1

Action Requested

If approved, the requested action would adopt a resolution authorizing actions to be taken to enter into contracts for bond counsel and disclosure counsel services related to the issuance of the Board's lease revenue bonds.

Background

The Board is authorized under the laws of the State of California to finance and refinance the costs of public buildings. In the context of the Board's lease revenue financing program, the Board is authorized to hire counsel to assist with the issuance of bonds including compliance with federal tax laws, federal securities laws, and the issuance of required validity opinions. The municipal bond market requires such opinions to be issued by nationally recognized bond and disclosure counsel.

In June 2018 the Board delegated authority to the Executive Director to enter into contracts for bond counsel and disclosure counsel services. The term of those contracts will end on June 30, 2021.

The proposed resolution would authorize the Executive Director to take all actions necessary to contract for a term not to exceed three years for bond counsel and disclosure counsel services. Based on prior years, Board staff estimates the costs of both contracts over a three year term will be approximately \$3 million. It is the intent that bond counsel and disclosure counsel fees will be paid out of the cost of issuance of the Board's lease revenue bonds or, in the case of bond sale structured as a forward delivery, from the Board's expense account which will be reimbursed by the cost of issuance.

Staff Recommendation:

Adopt resolution.

GENERAL PUBLIC COMMENT

REPORTABLES

Reportable Items

For the March 12, 2021 Board Meeting

Actions Authorized by Staff from February 1, 2021 through March 1, 2021

As Authorized by Resolution of the Board dated December 13, 2019

<u>Department/Org Code</u>	<u>Project Title</u>	<u>Project Authority</u>	<u>Action</u>	<u>Amount/(Percent)</u>
California Highway Patrol (2720)	CHP Enhanced Radio System: Replace Towers and Vaults, Phase I, Various Counties	2009 Budget Act, Item 2720-301-0044 (1), as partially reverted by the Budget Act of 2010 and reappropriated by the Budget Acts of 2011 through 2015; 2010 Budget Act, Item 2720-301-0044(1), as reappropriated by Item 2720-491, Budget Acts of 2012 through 2014; 2011 Budget Act, Item 2720-301-0044(1); 2016 Budget Act, Item 2720-301-0044(6)	Approve an augmentation	\$676,000 (2.1 percent of total project appropriations, 4.2 percent cumulative)
Department of Developmental Services (4300)	Porterville: Nitrate Removal System, Tulare County	2017 Budget Act, Item 4300 301-0001 (1)	Approve an augmentation	\$235,000 (6.4 percent of total project appropriations, 7.6 percent cumulative)

California Department of Education, State Special Schools (6100)	Middle School Activity Center, California School for the Deaf, Fremont, Alameda County	2016 Budget Act, Item 6100 301-0001(1) 2019 Budget Act, Item 6100-301-0001(1)	Approve an augmentation	\$12,000 (0.5 percent of total project appropriations, 6.7 percent cumulative)
California Community Colleges (6870)	Peralta Community College District, College of Alameda: Replacement of B and E Buildings (Auto and Diesel Technologies), Alameda County	2019 Budget Act, Item 6870-301-6087(23) as reappropriated by the 2020 Budget Act	Approve preliminary plans	
California Community Colleges (6870)	Peralta Community College District, Merritt College: Horticulture Building Replacement, Alameda County	2019 Budget Act, Item 6870-301-6087(58) as reappropriated by the 2020 Budget Act	Approve preliminary plans	
California Community Colleges (6870)	Peralta Community College District, Laney College: Modernize Theatre Building, Alameda County	2019 Budget Act, Item 6870-301-6087(56) as reappropriated by the Budget Act of 2020.	Approve preliminary plans	
California Community Colleges (6870)	Long Beach Community College District, Pacific Coast Campus: Construction Trades II, Los Angeles County	2020 Budget Act, Item 6870-301-6087 (12)	Approve preliminary plans	

California Community Colleges (6870)	North Orange County Community College District, Cypress College: Fine Arts Renovation, Orange County	2020 Budget Act, Item 6870-301-6087 (6)	Approve preliminary plans	
California Community Colleges (6870)	Shasta-Tehama-Trinity Jt. Community College District, Shasta College: Building 200 Modernization, Shasta County	2020 Budget Act, Item 6870-301-6087 (46)	Approve preliminary plans	
California Community Colleges (6870)	Yuba Community College District, Yuba College: Fire Alarm System Upgrade, Yuba County	2020 Budget Act, Item 6870-301-6087 (25)	Approve preliminary plans	
California Department of Veterans Affairs (8955)	Yountville Veterans Home-Central Power Plant Renovation, Napa County	Military and Veterans Code Section 1104.2 Government Code Section 15845 2017 Budget Act, Item 8955-301-0890 (3)	Recognize revised project costs	\$16,387,000 total authorized project costs \$1,391,000 increase in state funds